REMARKS/ARGUMENTS

Initially, the Applicant would like to thank Examiner Kumar for taking the time to discuss the outstanding Office Action with the Applicant's representative during the telephone interview conducted on July 17, 2006. After discussing various aspects of the invention, particularly the de-coupling aspect, the Examiner agreed to withdraw the objections to the drawings presented on page 2 of the Office Action, the objections to the specification presented on page 4 of the Office Action and the claim rejections under 35 U.S.C. § 112 presented on page 5 of the Office Action. The Examiner also agreed with the Applicant's representative that the prior art of record does not teach a de-coupling element analogous to that set forth in the present application and presented in claims 4, 18 and 30.

In addition to the distinctions between the prior art and the present invention as outlined above, the Examiner and the Applicant's representative discussed, in particular, the rejection to claims 1 and 28. More specifically, the Examiner and the Applicant's representative discussed the application of the prior art reference to Wittern, Jr. et al. (U.S. Patent No. 6,302,293) in combination with Thompson et al. (U.S. Patent No. 2,359,398) in connection with teaching integrally formed stiffening elements extending between side edges of a wall surface in a vending machine as set forth in claims 1 and 28.

In general, the present invention is directed to a vending machine having a cabinet frame defining a central cavity. A plurality of column walls are arranged within the cabinet frame so as to separate the central cavity into a plurality of product stack areas. In accordance with the invention set forth in claim 1, each of the plurality of column walls is formed from a material sheet having top, bottom and side edges that define a substantially planar wall surface, with the wall surface including a plurality of integrally formed stiffening elements that extend between the side edges. In addition, the column wall is provided with an alignment member. The stiffening elements minimize bowing of the column walls under weight of product containers, while the alignment member provides for proper positioning of product containers within the product stack areas for dispensing from the vending machine. Each of claims 1 and 28 includes limitations directed to a column wall of a vending machine having stiffening elements and an alignment member, with claim 1 in product format and claim 28 in method format.

In rejecting claims 1 and 28, the Examiner relies upon Wittern, Jr. et al. which is directed to a vertical stack retainer for a vending machine. Wittern, Jr. et al. discloses a cabinet frame having a plurality of internal walls 26 that define column or stack areas for receiving product containers. The Examiner correctly recognizes that the column walls in Wittern, Jr. et al. do not show, nor is there any suggestion in the Wittern, Jr. et al. reference for, integrally formed stiffening elements as required by independent claims 1 and 28.

In any case, in order to address the missing claim elements, the Examiner relies upon Thompson et al. which is directed to a vending machine including a plurality of vertically spaced shelves that are provided with a peripheral bead and diagonally extending ribs that serve to reinforce the shelf. It should be noted that Thompson et al. does not disclose providing the beads or the diagonally extending ribs on wall portions or column walls in the vending machine, but merely across vertically spaced shelves. Initially, the Applicant questions from where the Examiner draws the motivation to combine the ribs from Thompson et al. with the column walls in Wittern, Jr. et al. Why add additional stiffening to column walls 26? As already acknowledged by the Examiner, Wittern, Jr. et al. does not disclose a desire for stiffeners in the column wall and Thompson et al. only teaches the ribs on shelves. To this end, the Applicant respectfully submits that there is simply no motivation to combine these references in the manner suggested by the Examiner. Instead, Wittern, Jr. et al. is seen to teach away from the need to incorporate stiffening elements as outlined above, and Thompson et al., at best, would teach providing stiffening elements on shelves. (Note the column walls in Thompson et al. have no stiffening elements.)

In addition, the Applicant submits that forming a peripheral bead or diagonally extending ribs on the column walls of Wittern, Jr. et al. would make it impossible to then mount separators 30A and 30B. That is, in accordance with claim 1, the integrally formed stiffening elements must extend between the side edges of the wall surface. Thus, the integrally formed stiffening elements are vertically spaced along a surface of each of the column walls. Once formed, the stiffening elements would create a bulge or raised portion that would interfere with separators 30A and 30B. As separators 30A and 30B extend horizontally along each column wall 26, forming a stiffening element on each column wall 26 would make attaching separators 30A and 30B impossible without additional modification to the separators. The Applicant submits that, given the presence and particular mounting of separators 30A and 30B, one of ordinary skill in the art would not even consider providing integrally formed stiffening elements that extend between side edges of the column walls in Wittern, Jr. et al. A similar distinction also exists with respect to claim 28.

With respect to many of the dependent claims, it is submitted that these claims further distinguish the invention from the prior art. For example, in claim 2, each of the plurality of column walls is divided into top, bottom and intermediate portions, with claim 3 adding that each of the top, bottom and intermediate portions includes at least one of the plurality of stiffening elements. Claim 4 requires that at least one of the plurality of stiffening elements constitutes a decoupling member provided on a bottom portion. Claim 5 requires that the bottom portion of the column wall is separated from the intermediate portion only through narrow web members. None of the prior art, when taken singly or in combination, teaches any of these features. In addition, claim 15 requires that a stiffener structure interconnect at least two of the plurality of stiffening elements, with the stiffener structure taking the form of an asterisk. None of the references even remotely suggests these particular limitations. Finally, claim 29 requires each of the stiffening elements to be formed with a fore-to-aft extending slot in the wall surface. As stated above, none of the prior art references, when taken singly or in combination, teaches stiffening elements integrally formed in the column walls, let alone the requirement for a slot. More importantly, there is simply no disclosure in any of the prior art references on any of this subject matter.

In view of the above remarks and agreements reached during the interview, it is respectfully submitted that the invention is patentably defined over the prior art of record such that allowance of all claims and passage of the application to issue are respectfully requested. If the Examiner should have any additional concerns regarding the allowance of this application, he is cordially invited to contact the undersigned at the number provided below if it would further expedite the prosecution of this case.

Respectfully submitted,

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